

**BEFORE THE
POSTAL RATE COMMISSION
WASHINGTON, DC 20268-0001**

RECEIVED
jm
JUL 31 2 04 PM '01
POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

**Complaint on Sunday
and Holiday Collections**

Docket No. C2001-1

**DOUGLAS F. CARLSON
FURTHER RESPONSE TO PRESIDING OFFICER'S RULING C2001-1/1
AND COMMENTS ON SCHEDULING ISSUES**

July 28, 2001

Pursuant to POR C2001-1/1, on July 20, 2001, I filed comments on procedural and scheduling issues.¹ In those comments, I stated that I may be able to meet the August 17, 2001, deadline for filing testimony, but the outcome of an outstanding discovery dispute over production of Collection Box Management System (CBMS) data cast some uncertainty over my ability to meet this deadline. Comments at 1-2. I also indicated that a response to DFC/USPS-21, which inquires into CBMS history files, might prompt follow-up interrogatories. Comments at 2.

POR C2001-1/6, issued on July 23, 2001, and POR C2001-1/7, issued on July 27, 2001, granted my motions to compel production of data or information that will be important to resolution of the issues in this proceeding. In addition, responses to these discovery requests may inform or even become an integral part of my testimony.²

On July 27, 2001, the Postal Service filed a motion for reconsideration of a portion of POR C2001-1/6 concerning CBMS data.³ When the Postal Service filed its motion, my own motion for reconsideration of the protective conditions, which I consider

¹ Douglas F. Carlson Response to Presiding Officer's Ruling C2001-1/1 and Comments on Nature of Evidentiary Presentation ("Comments"), filed July 20, 2001.

² My testimony will consist primarily of matters for which I need to develop a further evidentiary record. My discussion of other relevant evidence already in the record will appear on brief only.

³ Motion of the United States Postal Service for Partial Reconsideration of Presiding Officer's Ruling No. C2001-1/6, filed July 27, 2001.

overly broad, was in a final-draft stage. I will file my motion shortly. This dispute probably will not be resolved before mid-August, and only at that time will the clock start ticking for the Postal Service to file the CBMS data.

The August 17, 2001, deadline for filing testimony no longer is achievable. To maintain the progress of this proceeding, I suggest that the presiding officer set a new deadline of September 17, 2001, for filing testimony. Discovery may continue through October 10, 2001. At the time that I file testimony, I will suggest a deadline for parties to indicate whether they wish to submit rebuttal testimony, and I will suggest deadlines for filing briefs as well. Attempting to set those dates now is impractical. Moreover, I reserve the right to request an extension of the September 17, 2001, deadline for filing testimony if conditions warrant, although at this time I fully intend to meet this deadline.

Respectfully submitted,



Dated: July 28, 2001

DOUGLAS F. CARLSON

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon the required parties in accordance with section 12 of the *Rules of Practice*.



DOUGLAS F. CARLSON

July 28, 2001
Santa Cruz, California